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**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTHERN NEVADA**

THE GALINA SUDAI 2009  
IRREVOCABLE TRUST FOR THE  
BENEFIT OF HER HANDICAPPED  
SON, MICHAEL KUBRACK,

Plaintiff,

v.

ROBB EVANS, Receiver over the Assets  
of Joshua Michaely; PATTI MICHAELY;  
JOSHUA MICHAELY; PAUL T. DYE;  
and DOES 1 through X, inclusive,

Defendants.

Case No. 2:09-cv-2181-LDG-RJJ

**EX PARTE MOTION TO APPEAR  
TELEPHONICALLY AT HEARING  
TO WITHDRAW AS COUNSEL**

JOSHUA MICHAELY,

Crossclaim Plaintiff,

v.

PATTI MICHAELY; ROBB EVANS; and  
PAUL T. DYE;

Crossclaim Defendants

Defendant/CounterClaimant, Joshua Michaely, by and through his counsel of record  
hereby moves the Court to allow counsel for the party to appear telephonically for the hearing on

1 the Motion to Withdraw as Counsel scheduled for October 18, 2011, at 9:00 a.m., for the reasons  
2 set forth below:

3 Based on a Motion to Withdraw as Counsel filed by the undersigned on September 19,  
4 2011, the Court has set a hearing on the Motion to Withdraw as Counsel for October 18, 2011.  
5 However, counsel for Defendant/CounterClaimant, Joshua Michaely, is located in Lehi, Utah  
6 and is no longer residing in Las Vegas, Nevada. Given the distance to be traveled by the  
7 undersigned and given the nature and lack of complexity of the hearing, it is respectfully  
8 requested that undersigned be permitted to appear at the October 18, 2011 hearing  
9 telephonically. The circumstances at the hearing will not require the undersigned to be physically  
10 present. Defendant/CounterClaimant, Joshua Michaely, has expressed to the undersigned that he  
11 has no intention of appearing at the hearing himself, despite being notified of the hearing.  
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14 Furthermore, permitting appearance by telephone will save the undersigned considerable  
15 costs as it would come as a great expense to appear in Court. The undersigned has been allowed  
16 to appear telephonically in the past and has not abused that privilege. In sum, being permitted to  
17 appear by telephone would greatly assist the undersigned.  
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19 WHEREFORE, the undersigned respectfully requests this Court enter an Order allowing  
20 the undersigned for the Defendant/CounterClaimant, Joshua Michaely, to appear telephonically

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1 for the hearing on the Motion to Withdraw as Counsel scheduled for October 18, 2011, at 9:00  
2 a.m.

3 DATED this 11<sup>th</sup> day of October, 2011.

4  
5 /s/ BLAIR JACKSON

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Blair R. Jackson  
7 Attorney for Defendant  
8 CHRISTIANSEN & JACKSON, PC  
9 3960 Howard Hughes Parkway, Suite 500  
10 Las Vegas, Nevada 89169

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15 IT IS SO ORDERED. Attorney for  
16 Defendant Joshua Michaely, Blair  
17 R. Jackson, Esq. may appear at the  
18 hearing scheduled for Oct. 18, 2011,  
19 by telephone. Attorney Jackson is  
20 directed to call into the court's  
21 meet-me-line at (702)868-4906,  
22 conference code: 123456.  
23 Dated this 17th day of Oct. 2001.

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UNITED STATES MAGISTRATE JUDGE

27 Dated this 17th day of October, 2011.  
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